

Senate File 479 - Introduced

SENATE FILE 479
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SF 334)

A BILL FOR

1 An Act repealing energy conservation requirements for new
2 construction.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 103A.8A, Code 2023, is amended to read
2 as follows:

3 **103A.8A Energy conservation requirements — rulemaking**
4 **requirements.**

5 1. The state building code commissioner shall adopt as
6 a part of the state building code a requirement that new
7 single-family or two-family residential construction shall
8 comply with energy conservation requirements. The requirements
9 adopted by the commissioner shall be based upon a nationally
10 recognized standard or code for energy conservation. The
11 requirements shall only apply to single-family or two-family
12 residential construction commenced after the adoption of the
13 requirements. Notwithstanding any other provision of this
14 chapter to the contrary, the energy conservation requirements
15 adopted by the commissioner and approved by the council
16 shall apply to new single-family or two-family residential
17 construction commenced on or after July 1, 2008, ~~and shall~~
18 ~~supersede and replace any minimum requirements for energy~~
19 ~~conservation adopted or enacted by a governmental subdivision~~
20 ~~prior to that date applicable to such construction~~ except
21 that a governmental subdivision may enact energy conservation
22 requirements that are less restrictive than the state building
23 code. The state building code commissioner may provide
24 training to builders, contractors, and other interested persons
25 on the adopted energy conservation requirements.

26 2. The state building code commissioner shall not amend
27 or rescind 661 IAC 303.2 or 661 IAC 303.3, as they existed
28 on January 1, 2023, except as required by the adoption of a
29 statute by the general assembly. The state building code
30 commissioner may submit a proposal to the general assembly for
31 the amendment or rescission of 661 IAC 303.2 or 661 IAC 303.3,
32 which shall include an estimate of all costs associated with
33 the amendment or rescission.

34 Sec. 2. Section 103A.10, subsection 4, paragraph a, Code
35 2023, is amended to read as follows:

1 a. Provisions of the state building code establishing
2 thermal efficiency energy conservation standards shall be
3 applicable to all construction in the state which will contain
4 enclosed space that is heated or cooled, except where a
5 governmental subdivision has enacted energy conservation
6 requirements that are less restrictive than the state
7 building code. The commissioner shall provide appropriate
8 exceptions for construction where the application of an energy
9 conservation requirement adopted pursuant to **this chapter** would
10 be impractical.

11 Sec. 3. Section 103A.10, subsection 5, Code 2023, is amended
12 to read as follows:

13 5. Notwithstanding any other provision of **this chapter** to
14 the contrary, the energy conservation requirements adopted
15 by the commissioner and approved by the council shall apply
16 to all new construction commenced on or after July 1, 2008,
17 ~~and shall supersede and replace any minimum requirements for~~
18 ~~energy conservation adopted or enacted by the~~ except that a
19 governmental subdivision prior to that date and applicable to
20 such construction may enact energy conservation requirements
21 that are less restrictive than the state building code.

22 Sec. 4. Section 103A.22, subsection 1, Code 2023, is amended
23 to read as follows:

24 1. Nothing in **this chapter** shall be construed as prohibiting
25 any governmental subdivision from adopting or enacting any
26 building regulations relating to any building or structure
27 within its limits, but a governmental subdivision in which
28 the state building code has been accepted and is applicable
29 shall not have the power to supersede, void, or repeal or
30 make more restrictive any of the provisions of **this chapter**
31 or of the rules adopted by the commissioner. ~~This subsection~~
32 ~~shall not apply to,~~ except that a governmental subdivision
33 may adopt or enact energy conservation requirements that are
34 less restrictive than energy conservation requirements adopted
35 by the commissioner and approved by the council pursuant to

1 section 103A.8A or 103A.10.

2

EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill relates to state energy conservation requirements.
6 The bill allows a governmental subdivision to adopt energy
7 conservation requirements that are less restrictive than the
8 state building code. The bill prohibits the state building
9 code commissioner from amending or rescinding current rules
10 creating energy conservation requirements except as required
11 by the adoption of a statute by the general assembly. The
12 bill allows the state building code commissioner to submit a
13 proposal for the amendment or rescission of energy conservation
14 requirements to the general assembly, which shall include
15 an estimate of all costs associated with the amendment or
16 rescission.